

113th ANNUAL MEETING

WATCH HILL FIRE DISTRICT

July 12, 2014

9:30 A.M.

MINUTES

DRAFT – NOT APROVED

The meeting was called to order at 9:30 am by Charles S. Whitman III, Moderator

The Pledge of Allegiance to the Flag was led by Robert Brockmann.

REPORT OF BOARD OF CANVASSERS

The Moderator called upon Shelley S. Weier, Assessor of Taxes, to present the List of District Voters, as certified by the Board of Canvassers, to the Clerk.

She said:

As required by the District Charter, the Board of Canvassers, consisting of myself as Assessor of Taxes and Ann Brockmann, Collector of Taxes, met on the last Monday of June to prepare the list of voters for this meeting. We certify that the copy presented to the Clerk is a true copy of that list.

QUORUM

The Moderator called upon the Clerk, who reported that there was a quorum (10 voters) present.

The Moderator declared the meeting in order and called upon the Clerk to read the Necrology.

Necrology – Clerk, George C. Moore, Jr.

Katherine L. A. Angermueller

Charles C. Buffum, Sr.

James A. Heller

Timothy B. Kniffin

Ruth B. Prosser

Nicholas Rutan

The Moderator reminded those present of the qualification of voters (i.e., Watch Hill residents who are eligible to vote in a Westerly election and owners of property in Watch Hill –all individual owners, and one representative of any trust, corporation, partnership or other entity owning property), and asked that those present who are not qualified voters refrain from participating.

Mr. Whitman also advised that he would be following Roberts Rules

for the discussion. Each speaker would have a maximum of 4 minutes. Discussion would also be limited to relevancy, as determined by the Moderator.

The Moderator introduced Captain Shawn Lacey of the Westerly Police Department.

Captain Lacey advised that the department has assigned 12 CSO's to Watch Hill, an increase of 2 from last year. The addition was to staff the rights of way off Everett Avenue and Bluff Avenue 7 days a week. They also have 3 CSO's dedicated to traffic control from 9 am to 6 pm. As a result of traffic problems during Tuesday night concerts, the CSO's will be asked to stay later on those nights.

Captain Lacey also advised that the department had purchased 6 new speed signs to go up on telephone poles and asked those present to let him know if there were particular areas where these should be hung.

Captain Lacey stated that the department was aware of drinking at the wall on East Beach and was taking action. He said that having the 24 hour security at 16 Bluff Avenue was helpful in that anything going on was quickly reported to the police. Captain Lacey was hoping to have a plains clothes officer on site to patrol.

Mr. David Roth expressed concern about traffic going the wrong way

on one way streets (Niantic and Everett) after dropping off beach goers. He noted that these cars drove right by CSO's who did nothing and wondered what the CSO's were trained to do. Captain Lacey advised the CSO's can only issue parking tickets but that they do have walkie talkies so they should contact a policeman to handle moving violations.

Mrs. Jane O'Connell mentioned that people were parking on the grassy side of Manatuck, noting that there are parking signs on one side of the street and not the other. Captain Lacey said his department was checking past history as there may have been an ordinance allowing bicycles and mopeds on that side of the road. Mr. Parrilla advised that yes, such an ordinance had been passed. Captain Lacey said a sign will be put up as soon as the ordinance is confirmed.

Mrs. Heidi McWilliams suggested more aggressive enforcement of no parking rules on Sunset, Pawcatuck and Aquidneck Avenues. Captain Lacey asked that whenever a resident sees a violation, they should call the police dispatcher and an officer will come. He also noted that no parking signs have a tendency to disappear and that new signs, mounted on the telephone poles, will clearly say no parking on either side of the street.

Mr. Whitman thanked Captain Lacey for coming and for his on-going support.

Minutes of Last Annual Meeting, July 13, 2013

A motion to waive reading of the minutes was made, seconded and approved. The Moderator then asked for a motion to approve the minutes of the last annual meeting, July 13, 2013, which had been previously circulated. The motion was made, seconded and passed.

Report of the Treasurer – Robert C. Murray

Mr. Murray stated that on June 1, 2013 the Fire District had a cash balance of \$146,084.76. During the year, receipts from operations were \$920,098.24, of which roughly 54% came from property taxes and 46% from rental income. The Fire District also received \$85,284.71 from FEMA as reimbursement for Superstorm Sandy. During the year the District had cash disbursements of \$894,457.59, leaving a cash balance on May 31, 2014 of \$237,010.12. The roughly \$91,000 increase was principally the result of the receipt of the FEMA reimbursement, which was not in the budget.

Mr. Murray noted that the 2013-2014 budget called for expenditures of \$917,480. Actual expenditures were \$894,457.59, just over \$23,000 less than budgeted, primarily because the Fire District did not spend any of the \$25,000 budgeted for contingencies. However, he did note that within the budget lines there were categories that were over

budget and others that were under budget.

Mr. Murray called on the Clerk to propose the following resolution:

**RESOLUTION VALIDATING OVER-EXPENDITURES OF
APPROPRIATIONS AND TRANSFERRING UNEXPENDED BALANCES**

RESOLVED:

That all over-expended appropriations as of May 31, 2014, aggregating \$95,979.29 for the fiscal year ending May 31, 2014 before application of unexpended appropriations for said fiscal year, as reported by the District Treasurer and as noted under Statement of Appropriations, Cash Disbursements, and Encumbrances, be and the same are hereby validated to the same extent as if the District Treasurer had been fully authorized to make such expenditures, and all unexpended balances of appropriations as of May 31, 2014, as reported by the District Treasurer and as noted in said Statement of Appropriations, Cash Disbursements, and Encumbrances, be and the same are hereby applied against said over-expended appropriations.

The motion was seconded and approved.

Report of the Tax Assessor – Shelley S. Weier

Grand List of District properties is \$1,148,841,000 as of December 31, 2013. After the deduction of Westerly and Watch Hill exemptions of \$14,506,782, the assessed value of taxable property is \$1,134,334,218.

This reflects an increase since last year of \$5,697,868 in assessed value.

Report of the Tax Collector – Ann L. Brockmann

Taxes received

2013 \$498,246.80

Prior Years \$431.20

Unpaid Taxes (Total) \$12,849.45 on 5 properties

Ms. Brockmann noted that after May 31, 2014 an additional \$5,686 of taxes was collected, leaving an outstanding balance of \$7,163.

Comparison Unpaid in Prior Years

2012	\$3,641.09
2011	\$13,017.27

Report of Fire Department – Chief Robert Peacock

A copy of the Fire Department report is attached and a part of these minutes.

Chief Peacock noted that there were copies of his report at the back of the room and asked the voter to please call him with any questions. He then went on to thank all the volunteers and to emphasize how much time these volunteers put in. He also thanked the District Council and the residents of Watch Hill for their support during the year.

Chief Peacock reported that there were 119 calls during the last year, about half of which were false. He also noted that recruitment of volunteers remained a large issue, as it is in all the fire districts. Finally, Chief Peacock mentioned that the Fire Department performs some special services not offered by other fire departments, such as pump outs of basements, property and boats.

A member of the audience commented on the display of old fire hydrants. Chief Peacock replied that it has created interest and has been an opportunity to pass on fire prevention information to visitors.

There followed a discussion of the fireworks on July 5th, which resulted in 20 brush fires and 2 house fires, all of which were minimal with little damage, thanks to the fire department personnel being on standby at the two events. Chief Peacock advised that the necessary certificates from the state and the town (although for the wrong day) had been received by the Ocean House and the Misquamicut Club and that all requirements of the law had been met.

Report of the Park Commission

Mr. Whitman advised that the chair of the Park Commission, Mr. Grant G. Simmons III, could not be present and that others would present his report. Mr. Whitman commented on the cosmetic state of Bay Street. He said work was to have been finished by May and that National Grid had caused the delay. He has been told all the work will be completed in the off season and should be finalized by May, 2015.

Mr. Whitman asked Nicholas Moore to update those present on the Holdredge Garage project. Mr. Moore stated that the project was advancing and that the property was being transferred from the Conservancy to a new 501(c) (3) charity, 1 Bay Street Center. Construction is to begin in the fall. The allocation of parking spots between the Bay Street Center and the Watch Hill Limited Partnership remains to be worked out.

Mr. Whitman asked Mr. Andrew Parsons to speak about the land swap approved at the 2013 meeting. Mr. Parsons stated that the exchange was finalized in November, 2013. Upon legal advice, the beach properties were set up as a land condominium with 3 parts. The first part is the Misquamicut Club and the other two are Fire District properties, one of which is leased to the Watch Hill Yacht Club. Mr. Parsons said the land swap has been a satisfactory move for both parties. The Fire District received the Larkin Road parking lot, which is not part of the condominium association and which is being run by

an LLC, roughly similar to how HOB Yachts and the Merry-go-Round properties are operated. Proceeds from the parking lot are similar to last year with net proceeds of \$53,000 to date. Mr. Parsons advised that under the land swap, the Fire District is guaranteed a minimum of net revenue of \$115,000, which is approximately \$20,000 more than the District would have received from the Misquamicut Club lease. Finally, Mr. Parsons said that there had been some complaints about the look of the hut on the parking lot property and that cosmetic improvements will be made.

Mr. Brockmann asked if taxes to the town of Westerly had increased as a result of the establishment of the condominium association. Mr. Murray responded that yes, there had been a sizeable increase in taxes. The establishment of the association just advanced the reassessment that was due in 2015. Mr. Brockmann then asked if the Fire District would recover some of that increase through the leases. Mr. Murray responded that a portion of the increase would be recovered and also pointed out that the Fire District was now paying taxes on the Larkin lot, which it had not before, another factor in the tax increase.

Report of the Finance Committee – Chairman, James T. Beale, Jr.

Mr. Beale introduced John Brough, the partner at DiSanto Priest & Co. who is in charge of the Fire District account.

Mr. Beale pointed out the addendum to Schedule C in the DiSanto Priest report which gives a start to finish reconciliation of income and expenditures for Superstorm Sandy.

Mr. Beale stated that the proposed 2014-2015 budget calls for a 5 cent tax increase to \$0.50 per \$1,000. He said that the main purpose of the increase was to build reserves for further anticipated capital expenditures. He noted that a long range planning committee had been established to address long term needs, such as fire department equipment and sea wall repair, and that it made sense to start accumulating reserves for such expenses. The budget includes an increase in contingency funding from \$25,000 to \$60,000. Mr. Beale also noted that even with the increase, the new tax rate was lower than that of most surrounding fire districts, primarily because of the income from the Fire District rental properties, which were acquired in 1947.

A member of the audience asked if there was a separate capital expense budget. Mr. Regan responded that the long range planning study done in 2013 had identified between \$500,000 and \$1,000,000 of specific projects. A long range planning committee, composed of Andrew Parsons, Bradford Kopp, Elizabeth Bean, Chief Peacock and himself will review these projects and any others and assign some sort of prioritization for presentation to the District Council.

Another audience member asked if there could be a balance sheet in

the annual budget report and if there should be an annual audit. Mr. Beale replied that the Fire District is not run according to GAAP. Because the charter only calls for a cash reconciliation type of statement, Mr. Brough had suggested using agreed upon procedures until the charter changes or state law requires a different form of accounting. To create a balance sheet would require inventorying all of the Fire District assets, which would be very costly. Mr. Murray advised that due to problems elsewhere in the state, the legislature had enacted more proscriptive requirements on fire districts. They will require audits but may be liberal in granting waivers. Mr. Brough felt this legislation was specific to Coventry but will investigate.

Mr. John Chadwick suggested that it was unnecessary to set aside \$60,000 for contingencies this year, especially since the Fire District had not spent the \$25,000 set aside last year. He also noted that the net loss from Superstorm Sandy, \$60,000, was only one-fourth of current reserves. Mr. Regan responded that the proposed tax increase averages out to approximately \$100 per property annually and that since the Fire District is aware of specific capital projects now, it would be better to build up reserves to a point rather than to take on debt.

Mrs. Donna Simmons advised that at post mortem meetings on Superstorm Sandy it was noted that FEMA is out of funds and that were there to be another such storm, there is no guarantee that similar support would be available.

Mr. Whitman called the question and asked the Clerk to read the motion.

RESOLVED:

That the report of the Finance Committee be accepted and filed and the Appropriations for the fiscal year 2014-2015 be and the same are hereby approved.

The motion was seconded and approved. The Budget is approved.

TAX RESOLUTION

Mr. Whitman called on the Clerk

RESOLVED:

That the electors of the Watch Hill Fire District, hereby order the assessment and collection of a tax on the ratable property of said District in a sum not less than \$560,000 nor more than \$590,000. The Assessor of Taxes shall assess and apportion said tax on the inhabitants and ratable property of said District as of the 31st day of December, 2013 at 12:00 noon, according to law, and shall certify and deliver the same to the Collector of Taxes on or before the first day of August, 2014. The Collector of Taxes shall proceed to collect said

tax; said tax to be due and payable on or before the 30th day of September 2014, and all taxes remaining unpaid on the 30th day of September 2014 shall carry interest until collected, a penalty at the rate of 12% per annum upon such unpaid taxes. To the extent that assessments as of the 31st day of December 2013 may be modified by the Assessor of Taxes, the Treasurer and the Collector of Taxes shall make adjustments as appropriate.

The Motion was seconded and approved.

TAX ANTICIPATION NOTES

RESOLVED:

That the District Treasurer be, and hereby is, authorized and empowered during the current fiscal year of the District, commencing June 1, 2014 and ending May 31, 2015, to borrow such sum or sums of money as shall be necessary for the payment of the current liabilities and expenses of the District, but not to exceed in the whole the sum of \$100,000.00, and to issue negotiable promissory note or notes of the District therefor, which shall be made payable not later than one (1) year from the respective date or dates thereof. Negotiable notes issued pursuant to the authority hereof shall be signed by the District Treasurer and countersigned by the District Clerk, and such counter signatures shall be conclusive evidence to all holders of such note or notes of the approval and consent of the

District and the District Officers to the loan or loans evidenced thereby. The District Treasurer is hereby authorized and empowered to renew any of said notes from time to time, but any such renewal note shall be due not later than one (1) year after the date of the original note so renewed.

The Motion was seconded and approved.

RESOLUTION RE: EMERGENCY NEEDS

RESOLVED:

That the Treasurer is authorized to expend sums not to exceed \$30,000.00 in the aggregate, to meet the contingent and emergency needs of the Fire District and to carry out the duties and obligations of the officers and committees in accordance with the provisions of the charter.

The Motion was seconded and approved.

RATIFICATION AND APPROVAL OF ACTS OF COUNCIL, OFFICERS, FINANCE COMMITTEE AND PARK COMMISSION

Mr. Whitman called upon Audrey Moore.

RESOLVED:

That each and all of the resolutions, acts and proceedings of the District Council (as shown by its records in the Minute Book of the District Council) and of its Officers, Finance Committee, and Park Commission in carrying out and promoting the purposes, objects, and interests of the Watch Hill Fire District, during the fiscal year ending May 31, 2014, be and the same are approved, ratified and hereby made the acts and deeds of the Watch Hill Fire District.

The Motion was seconded and approved.

AUTHORIZATION OF MODERATOR TO APPEAR AT HEARINGS

The Moderator called on the Clerk

RESOLVED:

That the Moderator, or such other person or persons as the District Council or the Moderator shall designate, be and hereby are fully authorized and empowered to enter objections or legal actions on behalf of the Watch Hill Fire District in reference to any zoning matters, liquor licenses, legislative matters, or any other subject affecting the properties at Watch Hill.

The Motion was seconded and approved.

RESOLUTION RE: ASSISTANT TO THE TREASURER

The Moderator called on the Clerk.

RESOLVED:

That William D. Horne is appointed and employed as Assistant to the Treasurer for the year 2014 - 2015 and said Assistant is empowered to execute checks and make withdrawals from funds of the District in the same manner as the District Treasurer, subject to limitations requiring dual signatures and that the Assistant to the Treasurer shall be bonded in the same manner and amount as the District Treasurer.

The Motion was seconded and approved.

RESOLUTION APPOINTING AUDITOR

The Moderator called on the Clerk.

RESOLVED:

That DiSanto, Priest & Co. be appointed Auditor of the District for the year 2014 – 2015.

The Motion was seconded and approved.

REPORT OF THE NOMINATING COMMITTEE ELECTION OF OFFICERS

The Moderator called on Jane O'Connell.

Mrs. O'Connell stated that the Nominating Committee, in accordance with the prior vote at the Annual Meeting of July 13, 2013, moves the election of the following slate of Officers:

Moderator Charles S. Whitman III, 1 Yr.

Deputy Moderator John M. Regan III, 1 Yr.

Treasurer Robert C. Murray, 1 Yr.

District Council, Members at Large Andrew J. Parsons, 1 Yr.

Ann Stevenson, 1 Yr.

Clerk George C. Moore, Jr., 1 Yr.

Collector of Taxes Ann L. Brockmann, 1 Yr.

Assessor of Taxes Shelley S. Weier, 1 Yr.

Finance Committee John F. McGill, 3 Yrs.

Judy O'Connell, 3 Yrs.

Park Commission

Grant G. Simmons III, 3

Yrs.

Robert W. Richins, 3 Yrs.

Fire Chief

Robert Peacock, 1 Yr.

First Assistant Chief Scott Harold, 1 Yr.

Second Assistant Chief Jason Simmons, 1 Yr.

Fire Department Members-at-Large Andrew G. Barber, 1 Yr.

John M. Regan III, 1 Yr.

Mr. Whitman asked if there were any nominations from the floor. There were none. Mr. Whitman asked for a second to the motion to approve the slate as presented. It was seconded and approved.

Mrs. O'Connell explained that a Citizen of the Year award had been given on and off over the years to someone who had made a major contribution to Watch Hill and who was not currently in office. This year it will be presented to someone who has served on just about every committee and club, on the Fire District Council and the Conservancy Board; Joan Lemp. The presentation was duly made.

APPOINTMENT OF NOMINATING COMMITTEE

The Moderator called on the Clerk.

RESOLVED:

That Jane B. O'Connell be appointed Chairman of the Nominating Committee, 2014- 2015 and that the Chairman be empowered to appoint at least two additional members to serve thereon and that the Nominating Committee deliver to the District Clerk, at least three

weeks before the next annual meeting, its proposed slate of officers. The Clerk shall give notice of the proposed slate in the call of the annual meeting.

The Motion was seconded and approved.

Other

Mr. Whitman thanked Mr. James Beale, who is leaving office this year after many years serving on and as Chairman of the Finance Committee.

Mr. Whitman opened the floor to questions.

Mr. Robert Brockmann stated that he was very disappointed that the Fire District had not fought against the two liquor licenses just granted on Bay Street, one of which is a store within 50 feet of the Merry-Go-Round. Mr. Whitman responded that since there was already a liquor license at the Olympia Tea Room, the Fire District could not discriminate against other tax payers who met the necessary criteria. He noted that the Fire District had opposed 10 Sandwiches because they did not have a bathroom and did not comply with other standards. Once those were met, there was no basis for complaint. Mr. Whitman also stated that the Fire District did not want to be viewed as hostile to local businesses.

Mr. George Moore, Jr. asked if there had been further consideration of a full time policemen in Watch Hill, even if the Fire District were to have to pay the additional cost. Mr. Whitman responded that he had spoken with the police department about supplementing their existing staff but they felt it was not a good idea. Mr. Whitman will continue to advocate that the town give more financing to the police department so additional officers are available.

There being no further business, upon motion made and duly seconded, it was

RESOLVED:

That the meeting be RECESSED to the call of the Moderator.

The motion carried.

Respectfully submitted:

**Judith H. Kelley
Office Manager**